



Tracey E. Hutton  
Zoning Administrator

# CITY OF CONCORD

New Hampshire's Main Street™

## Zoning Board of Adjustment

January 24, 2024

The Zoning Board of Adjustment will meet on Wednesday, *February 7, 2024* at *6:00 PM* in the Council Chambers of the Municipal Complex at 37 Green Street.

### Wednesday, February 7, 2024 - Public Agenda

- 1) Call meeting to order
- 2) Chairperson's comments
- 3) Rehearing Requests
- 4) Tabled Items
- 5) Public Hearings
- 6) Review and acceptance of Findings of Fact
- 7) Review and acceptance of Minutes
- 8) Any other business that may legally come before the Board

### *REHEARING REQUESTS*

#### [0123-2023](#)

54 N. Main Street; *CBP – Central Business Performance District, Ciborowski Associates LLC, Owner:*

Applicant is proposing a complete redevelopment of 44-52 N. Main Street (CVS) and 54-56 N. Main St (E&P Hotel) along with a connection to and renovation of 34-42 N. Main Street (Phenix Hall) and is requesting variances to:

1. Article 28-4-1(h), Table of Dimensional Regulations, to allow a portion of the proposed building to be constructed to a maximum height of 88 feet whereas 80 feet is allowed.
2. Article 28-4-1(g)(2), Dimensional Standards, to allow a partial obstruction of views of the State House Dome from Interstate 93.

*TABLED PUBLIC HEARING ITEMS*

[0142-2024](#)

270 Loudon Road; *GWP – Gateway Performance District*, Onyx Steeplegate  
Concord LLC, Owners:

1. A variance from Article 28-7-2(e), *Table of Off-Street Parking Requirements*, to allow fewer spaces than required.
  - a. Lot 40 and 40-1 (Costco/JC Penney) 943 spaces where 1131 are required;
  - b. Lot 40-2 (Mixed-use residential/fitness/recreational/retail) 1019 spaces where 2,055 are required; and
  - c. Lot 41 (Applebee’s Restaurant) 56 spaces where 68 are required.
2. A variance from Article 28-7-11(b), *Alternative Parking Arrangements, Construction of Fewer Parking Spaces*, to allow the Planning Board to authorize the construction of fewer parking spaces on Lot 40 and 40-1 (Costco/JC Penney), without “showing that a sufficient land area is allocated and shown on a site plan for the full number of spaces required.”

[0133-2023](#)

270 Loudon Road; *GWP – Gateway Performance District*, Onyx Steeplegate  
Concord LLC, Owners:

In the redevelopment of the Steeplegate Mall property into a mixed-use development, for this multi-building/multi-lot project the applicant requests the following variances:

1. Article 28-4-1(h), *Table of Dimensional Regulations, Maximum Height*, to allow a maximum height of 59-feet 8-inches where 45’ is allowed.
2. Article 28-2-4(j), *Table of Principal and Accessory Uses*, to allow a Tire Center (J-8) where prohibited in a GWP.
3. Article 28-4-1(c), *Table of Dimensional Regulations, Minimum Lot Frontage*, to allow frontage to be calculated based on the combination of frontages on a corner lot rather than the calculation along “one” street as required.
4. Article 28-4-1(h), *Table of Dimensional Regulations, Maximum Lot Coverage*, to allow 91% coverage where 85% is allowed.
5. Article 28-7-7(f), *Driveway Widths*, to allow a 30’ driveway width where 28-feet is the maximum.
6. Article 28-7-7(j), *Illumination of Parking Areas*, to allow light posts at 36-feet and 6-inches in height where 25-feet is the maximum,
7. Article 28-7-13(c), *Design Standards for Loading Spaces*, to allow 12-feet wide loading spaces where 14-feet is the minimum.
8. Article 28-7-14(e), *Screening of Refuse Containers*, to not screen trash compactors where screening around three sides is required.

0101-2023 5 Pine Street; *RN- Neighborhood Residential District; Concord Whyte Properties 6 LLC, Owner:*

Owner wishes to reverse the Zoning Administrator's decision that the residential dwelling on the property contains 2 units and is not a legally existing multi-family dwelling.

*PUBLIC HEARINGS*

[0136-2023](#) 57 Regional Drive; *IN – Industrial District, Gerald P McCarthy Revocable Trust, Owners:*

Applicant requests a variance from Article 28-2-4(j), *Table of Principle Uses*, to permit the establishment of a Non-public Elementary or Secondary School (B-1) where such use is not permitted.

[0137-2023](#) 158 Manchester Street; *CH – Highway Commercial District, PRM Auto/Concord II LLC, Owners:*

Applicant requests a variance from Article 28-6-9(a), *Table of Maximum Sign Dimensions for Non-Residential Districts*, to permit a total of 160 sq. ft. in two signs where up to 66 sq. ft. in two signs was permitted by variance in 2015.

[0139-2024](#) 16 Manchester Street; *GWP – Gateway Performance District, ROI Irrevocable Trust, Owners:*

Applicant seeks a variance from Article 28-6-7(m) to allow an otherwise conforming freestanding directory sign to be located on a premises other than where the uses are located.

[0140-2024](#) 30 Manchester Street; *GWP – Gateway Performance District, ROI Irrevocable Trust, Owners:*

Applicant seeks a variance from Article 28-2-4(j)(7) to allow the car wash to be developed as accessory to the principal gasoline use.

[0141-2024](#) III Warren Street; *RN – Neighborhood Residential District, Kyle Valliere, Owner:*

Applicant wishes to remodel and expand an existing single-family dwelling to a two-family dwelling and requests variances from:

1. Article 28-8-5(b)(1) *Continuation of Nonconforming Structures*, to allow an enlargement of the structure without being any closer to a property line than the closest dimension of the existing structure; and
2. Article 28-5-2 *Duplex or Two-Family Dwelling*, to allow conversion to a two-family dwelling on an existing lot with 66-feet of lot frontage and 4,356 sq. ft. of lot area where 120-feet of frontage and 15,000 sq. ft. of lot area are required.

[0143-2024](#)

**177 N Main Street** (a portion of land will ultimately be transferred to 181 N Main Street);  
*CU –Urban Commercial District*, First Church Holdings LLC, Owners:

Applicant wishes to enlarge and transfer a portion of their parking to an abutting non-residential lot. The applicant requests variances from:

1. Article 28-7-2(e), *Table of Off-Street Parking Requirements*, to permit 42 parking spaces where 60 parking spaces are required;
2. Article 28-7-7(e), *Minimum Aisle Width*, to permit a 16-foot wide one-way aisle with 60-degree angled parking spaces, where an 18-foot aisle is required;
3. Article 28-7-7(a), *Standard Parking Spaces*, to permit standard parking spaces to be 9-feet x 18-feet where 9-feet x 19-feet are required; and
4. Article 28-7-7(g), *Setbacks and Restrictions*, to permit parking in non-residential district to be within 0-feet of a lot line where 5-feet is required.

-Zoning Board of Adjustment